

REMARKS/ARGUMENTS

Applicant respectfully acknowledges receipt of the Office Action mailed November 3, 2005. In that Office Action, the Examiner (1) provisionally rejected claims 1-29 on the grounds of obviousness-type double patenting; (2) rejected claims 1-9, 13-17 and 28 under 35 U.S.C. § 102(b) as being anticipated by Cain; rejected claims 1-9 and 13-18 under 35 U.S.C. § 102(e) as being anticipated by Qureshi et al.; and (4) rejected claims 10-12, 19-23 and 24-27 under 35 U.S.C. § 103 as being unpatentable over various references. In response, Applicant has amended claims 1, 7, 8 and 9. Claims 2, 5 and 6 have been cancelled, and new claims 30-31 have been added, neither of which adds new matter. For the reasons which follow, Applicant respectfully requests reconsideration and allowance of all claims.

Amendments to the Specification

Clerical errors in the specification have been corrected. At page 5, lines 11, 13 and 16, the words Awarp@ and Aweft@ were erroneously reversed. The error is evident from the remainder of the specification, for example, page 5, lines 22-28, page 5, line 30 to page 6, line 8, and Figs. 1 and 2.

Amendment to the Claims

Applicant's invention pertains to a scrim which has two (or more) discrete woven layers, connected together at intervals along lines of attachment formed by layer-connecting tapes. This is seen most readily in Fig. 2, showing a first layer 60 (having weft tapes 1, 2 interwoven with warp tapes 12, 13 etc.) and a second layer 61 (having weft tapes 3, 4 interwoven with warp tapes 10, 11 etc.), these two woven layers being connected together at intervals by layer-connecting tapes 40 and 50. Such structure is altogether different from the structure shown in the references cited and claims 1, 7 and 9 have been amended to more clearly distinguish the invention over the references.

In particular, claim 1, which is the only independent claim, has been amended to specify that there are a plurality of layer-connecting lines of attachment, generally parallel to the first sets of tapes (e.g. the warp tapes in the embodiment of Fig. 2), that the lines of attachment each

comprise at least one layer-connecting tape (e.g. tape 40 or 50 in Fig. 2) and that each line of attachment is separated from an adjacent line of attachment by at least four tapes of said first sets of tapes. These features are disclosed in the specification, for example at page 6, lines 5-9 and 16-19. A similar amendment is made to claim 9, directed to a scrim comprising three woven layers.

It will be apparent that this structure, as defined in amended claim 1, is entirely different from the structures disclosed in the cited references, as explained below.

Double Patenting Objection

In making this rejection, the Examiner has cited co-pending application No. 10/517,794. That application discloses a scrim of woven tapes in which the tapes are woven in various patterns, especially twill weaves patterns. The scrims disclosed comprise a single layer of interwoven warp and weft tapes. There is no disclosure or suggestion of a scrim having two woven layers, or in which two layers are connected as specified in Applicant's amended claims. It is accordingly submitted that the provisional obviousness-type double patenting rejection should be withdrawn.

35 U.S.C. § 102 Claim Rejections

The Examiner has rejected claims 1-9, 13-17 and 28 under 35 U.S.C. § 102(b) as anticipated by Cain (US 6,367,513). Cain discloses a scrim in which each warp tape and each weft tape comprises two or more superimposed tapes (column 3, lines 18-20). For example, each weft tape comprises an upper weft tape 23 superimposed on a lower weft tape 24 and each warp tape comprises an upper warp tape 21 and a lower warp tape 22 (column 3, lines 2-12 and Fig. 2A). This is not a scrim with two woven layers interconnected at separated lines of attachment as specified in amended claim 1. Rather, it is, in effect, an integral, inseparable structure comprising interwoven warp and weft elements which are double tapes, an entirely different structure from that claimed by Applicant. Cain does not disclose the structure of amended claim 1. All the remaining claims depend directly or indirectly from claim 1 and for at least that reason cannot be anticipated by Cain.

The Examiner has rejected claims 1-9 and 13-28 under 35 U.S.C. § 102(e) as anticipated by Qureshi et al. (US 2005/0164576). The scrim structure disclosed in Qureshi et al. is similar to that in Cain, with multiple superimposed tapes in the warp or weft direction, or in both directions, the structure being referred to as a "double stacked weave" (page 3, paragraphs 39 and 41). As seen in Fig. 2B, the woven structure comprises superimposed warp tapes 21 and 22 and superimposed weft tapes 23 and 24. For the reasons stated above in respect of the Cain reference, Applicant's amended claims are not anticipated by Qureshi et al.

35 U.S.C. § 103 Claim Rejections

In paragraph 7-11 of the Office Action, the Examiner makes five claim rejections under Section 103(a), the principal references being Cain (paragraph 7) and Qureshi et al. (in paragraphs 8-11). As secondary references disclosing features of specific dependent claims, the Examiner has cited Romanowski (US 5,811,359) in paragraph 9 as disclosing a film material attached to a woven substrate, Pattenden (US 4,239,83) in paragraph 10 as disclosing lamination to a metallic coating, Baciú et al. (US 2004/0192130) and Katz (US 5,843,554) in paragraph 11 as disclosing a paper layer and a non-woven synthetic layer respectively.

In view of the amendment of claim 1 discussed above, the claimed scrim is clearly distinguishable over both Cain and Qureshi et al. There is no disclosure or suggestion in those references, either alone or combined with the secondary references, that would make the structure of amended claim 1 obvious. Since the rejected dependent claims all depend, directly or indirectly from claim 1 and include its limitations, they are for at least that reason unobvious over the references cited.

New Claims

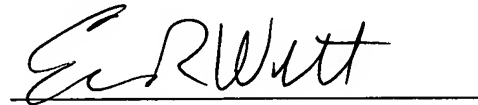
Claims 30 and 31 have been added in order to further define the invention. The features of claim 30 are described in the specification at page 6, lines 21-25. The features of claim 31 are described at page 6, lines 16-19. These claims do not add new matter.

Appl. No. 10/785,149
Amdt. dated March 1, 2006
Reply to Office Action of November 3, 2005

Conclusion

It is submitted that the amended claims are clearly allowable over the prior art of record. Applicant respectfully requests reconsideration and allowance of all pending claims. If there are any remaining issues preventing allowance of the pending claims that may be clarified by telephone, the Examiner is requested to call the undersigned.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "E. R. Witt", is written over a horizontal line.

Evan R. Witt
Reg. No. 32,512
Attorney for Applicant

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MADSON & AUSTIN
Gateway Tower West
15 West South Temple, Suite 900
Salt Lake City, Utah 84101
Telephone: 801/537-1700